

Application No.: 10/812,324
Amendments dated November 28, 2006
Response

REMARKS

By the paper mailed August 28, 2006, the Examiner objected to the disclosure under 35 U.S.C. §112, sixth paragraph. By this amendment, the means recitations have been eliminated. Therefore it is deemed unnecessary to clarify the record by amending the Specification to explicitly state with reference to the terms and phrases of the claim element what structure, materials, or acts perform function recited in the means recitations.

Claim 4 was objected to because of a typographical error. By this amendment, claim 4 has been amended to correct this error. Applicant wishes to take this opportunity to thank the Examiner for her kind assistance in pointing out this informality.

Claims 1 - 4 were rejected under 35 U.S.C. §102(b) as being anticipated by Faraz, *et al.*, U. S. Patent No. 5,766,186. Claims 1 - 4 have been amended and for reasons presently to be described as amended, are believed clearly allowable over the Faraz, *et al.*, reference.

The Examiner takes the position that the recitation of a first plurality of one-way engaging devices is shown in Faraz, *et al.*, by "(one side of blades jutting out behind element 16, like a cog) which engage the needle." Applicant respectfully

REMARKS continued

disagrees with this interpretation of Faraz, *et al.* In column 2, starting at line 51, Faraz, *et al.*, states: "Needle 14 is held in position around opening 12 by a pair of thin guides 16 which are separated by a slit 17 wide enough to allow the passage of suture material 15 but not wide enough to allow needle 14 to escape."

Continuing at line 64, Faraz, *et al.*, states: "Needle 14 slides on guides 16 along slit 17. Slit 17 serves to guide needle 14 and also allows suture material 15 to follow needle 14 without becoming wrapped around any part of the device 10. The motion of the needle 14 is driven by a belt 20. Belt 20 is directed around the rear face of guides 16 by a pair of guide rollers 22 which are located on either side of entrance 12A. Several, preferably two or more idler rollers 24 press belt 20 against the rear faces of guides 16."

In column 3 starting at line 27, Faraz, *et al.*, states: "The leading edges 50 of guides 16 are bent slightly to form a channel for receiving the point of needle 14 and directing needle 14 along slit 17. Preferably the trailing edges of guides 16 are similarly bent to receive the rear end of needle 14 in the event that it is necessary to reverse the direction of needle 14."

In view of the foregoing, it is abundantly clear that the bent ends of the guide 16 function only to form a channel for receiving the point of the needle 14

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and have no function in so far as driving the needle. Rather the needle is clearly driven by the belt 20 which is in frictional contact with the needle 14.

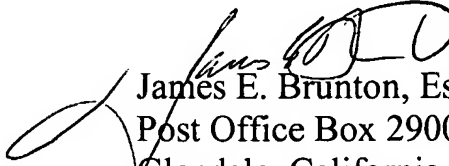
By this amendment, the claims have been amended to make more clear the relationship between the driver, the reverser and the blades of Applicant's construction. More particularly, the claims have been amended to provide that the driver and reverser include a plurality of circumferentially spaced cavities within which the one-way engaging devices, or blades are pivotally mounted. Similarly, the new claims that have been added clearly define the suturing device as comprising a plurality of blades pivotally carried within circumferentially spaced cavities formed within the driver and the reverser. This construction is nowhere disclosed or remotely suggested by Faraz, *et al.*, and such a construction would not flow naturally from the teachings of Faraz, *et al.*




REMARKS continued

In view of the foregoing, the Application as amended is now believed in condition for allowance and such favorable action is respectfully requested.

Respectfully submitted,


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